

**LUMPKIN COUNTY  
BOARD OF COMMISSIONERS  
Regular Meeting Agenda  
Lumpkin County Park & Recreation Community Center  
Heritage Room  
365 Riley Road  
Dahlonega, Georgia**

**June 25, 2009  
6:00 P.M.**

**\*As AMENDED**

**I. CALL TO ORDER**

Chairman Raber

**II. INVOCATION**

**III. APPROVAL OF AGENDA**

**IV. PRESENTATIONS**

- Employee Awards
- Mauldin & Jenkins Certified Public Accountants, LLC
  - Lumpkin County 2008 Annual Audit Report

**V. APPROVAL OF MINUTES**

- May 21, 2009 Appeal Hearing 5:30 p.m.
- May 21, 2009 Public Hearing 5:45 p.m.
- May 21, 2009 Regular Meeting 6:00 p.m.
- June 11, 2009 Work Session 9:00 a.m.
- June 11, 2009 Special Called Meeting (Immediately following 9 am WS)
- June 19, 2009 Special Called Meeting 10 a.m.

**VI. REPORTS**

- Department reports are on file in the Board of Commissioners Office
- Elected Officials
- Chamber of Commerce

**VII. RESOLUTIONS**

- 2009-46 Adopt Cell Phone Policy
- 2009-47 Road Acceptance – Winfield Station Roads
- \*2009-48 Approve Submitting Amended Joint Ten Year Solid Waste Mgmt. Plan to GMRDC

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**VIII. CONTRACTS/AGREEMENTS**

- Georgia Department of Corrections – FY 2010 Work Detail I Contract *(renewal)*
- Georgia Department of Corrections – FY 2010 Work Detail II Contract *(renewal)*
- Maximum Solutions, Inc. Agreement - Park & Rec. Software *(new)*
- Ray Koehn - Lumpkin County-Wimpy Airport Tie Down #4 Agreement *(renewal)*
- Southeastern Service Group, Inc. – Lumpkin County Detention Center *(renewal)*
- State of Georgia/GEMA Hazard Mitigation Assistance Grantee-Subgrantee Agreement *(new)*
- Rainbow Children's Home – Terminate Property Lease at Yahoola Creek Park *(terminate)*
- ACCG-IRMA –Renewal Contribution Worksheet Liability Insurance *(renewal)*

**IX. OTHER ITEMS**

- BOC Monthly Work Session( *date change - July 9, 2009 9 am* )
- BOC & Budget Committee Work Session *(set date – July 13, 2009 9 am)*
- BOC Public Hearing – Amend Subdivision Regulations *(set date – July 16, 2009 4:30 pm)*
- BOC Appeal Hearing - Dahlonega Funeral Home & Cremation Services *(set date – July 16, 2009 5 pm)*
- BOC Retreat *(set date – July 22, 2009 9 am)*

**X. COMMENTS**

- COUNTY MANAGER
- CHAIRMAN
- COMMISSIONER
- COUNTY ATTORNEY
- PUBLIC

**XI. ANNOUNCEMENTS**

**XII. ADJOURN**

Chairman Raber

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**June 25, 2009  
6:00 P.M.**

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**FUTURE MEETINGS:**

**July 2009**

- |  |                                     |
|--|-------------------------------------|
| ❖ Work Session – Park & Rec. Community Center  | <del>July 02, 2009 at 9:00 am</del> |
| ➤ NEW DATE                                     | July 09, 2009 at 9:00 am            |
| ❖ Board Meeting – Park & Rec. Community Center | July 16, 2009 at 6:00 pm            |

**August 2009**

- |   |                            |
|---|----------------------------|
| ❖ Work Session – Park & Rec. Community Center       | August 06, 2009 at 9:00 am |
| ❖ Public Hearing Proposed 2010 Budget               |                            |
| – Park & Rec. Community Center                      | August 13, 2009 at 5:00 pm |
| ❖ *Public Hearing "Notice of Property Tax Increase" |                            |
| – Park & Rec. Community Center                      | August 13, 2009 at 6:00 pm |
| ❖ *Public Hearing "Notice of Property Tax Increase" |                            |
| – Park & Rec. Community Center                      | August 20, 2009 at 9:00 am |
| ❖ *Public Hearing "Notice of Property Tax Increase" |                            |
| – Park & Rec. Community Center                      | August 20, 2009 at 4:00 pm |

*\*Public Hearings will be held if proposed millage rate increases beyond roll-back rate.*

- |  |                            |
|--|----------------------------|
| ❖ Board Meeting – Park & Rec. Community Center | August 20, 2009 at 6:00 pm |
|--|----------------------------|

**September 2009**

- |  |                               |
|--|-------------------------------|
| ❖ Work Session – Park & Rec. Community Center  | September 03, 2009 at 9:00 am |
| ❖ Board Meeting – Park & Rec. Community Center | September 17, 2009 at 6:00 pm |

**October 2009**

- |  |                             |
|--|-----------------------------|
| ❖ Work Session – Park & Rec. Community Center  | October 01, 2009 at 9:00 am |
| ❖ Board Meeting – Park & Rec. Community Center | October 15, 2009 at 6:00 pm |

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE  
LUMPKIN COUNTY BOARD OF COMMISSIONERS**

June 25, 2009

**CALL TO ORDER**

Chairman Raber called the meeting to order at 6:00 p.m. in the Lumpkin County Park & Recreation Community Center, Heritage Room. Present were John Raber, Bill Scott, Tim Bowden, Clarence Stowers and Clarence Grindle.

**INVOCATION**

District Commissioner Clarence Grindle gave the invocation. Chairman Raber then led the pledge of allegiance.

**APPROVAL OF AGENDA**

*Motion: Commissioner Stowers made a motion to approve the agenda to include Resolution 2009-48. The motion was seconded by Tim Bowden and approved by all district commissioners. Motion carried.*

**PRESENTATIONS**

Employee Awards

Steve Proper, Park & Recreation Director recognized recently retired employee Ken Beard who worked for Park & Recreation eleven years. Mr. Beard said when he moved to Lumpkin County a little over eleven years ago he found a job that he really enjoyed. He said he knows he and his wife made the right decision to move to Lumpkin County because they have met so many good people here.

Mauldin & Jenkins Certified Public Accountants, LLC

Lumpkin County 2008 Annual Audit Report

Adam Fraley, Mauldin & Jenkins presented the 2008 Annual Audit Agenda which is a 15-page summary of the audit opinion, financial statements and compliance report. He said the County received a clean opinion from Mauldin & Jenkins.

*Motion: Commissioner Scott moved to accept the audit which was seconded by Tim Bowden. Commissioners Scott, Bowden, Stowers and Grindle approved the motion and the motion carried.*

**APPROVAL OF MINUTES**

May 21, 2009 Appeal Hearing 5:30 p.m.

May 21, 2009 Public Hearing 5:45 p.m.

May 21, 2009 Regular Meeting 6:00 p.m.

June 11, 2009 Work Session 9:00 a.m.

June 11, 2009 Special Called Meeting (Immediately following 9 am WS)

June 19, 2009 Special Called Meeting 10 a.m.

*Motion: Commissioner Bowden made a motion to accept all the minutes as presented. The motion was seconded by Bill Scott and approved by Bill Scott, Tim Bowden, Clarence Stowers and Clarence Grindle. Motion carried.*

**REPORTS**

Department reports are on file in the Board of Commissioners Office

Elected Officials

Chamber of Commerce

## **RESOLUTIONS**

### 2009-46 Adopt Cell Phone Policy

This resolution adopts the Lumpkin County Cell Phone Policy for the use of county owned cell phones and personal cell phones.

### 2009-47 Road Acceptance – Winfield Station Roads

This resolution adopts the roads within Winfield Station Subdivision, Phase 1, Section 1.

### 2009-48 Approve Submitting Amendment to Joint Ten Year Solid Waste Management Plan to Georgia Mountains RDC to Approve Draft

***Motion:** Commissioner Bowden made a motion to accept the three resolutions by acclamation. There was no second. Following comments by Public Works Director Reiter, Commissioner Bowden withdrew his motion.*

Director Reiter said the repairs requested by the board to bring this road into compliance had not yet been completed. Mr. Reiter said his biggest concern is an area of the shoulders that are drop-offs. His recommendation to the board is to either accept “with qualifications” or that they must complete the items requested by the board in order for the roads to be accepted.

***Motion:** Commissioner Bowden moved to postpone this matter until the next regular meeting. The motion was seconded by Bill Scott and approved by all district commissioners. Motion carried.*

***Motion:** Commissioner Bowden made a motion to approve Resolutions 2009-46 and 2009-48. This motion was seconded by Clarence Grindle. Commissioners Scott, Bowden, Stowers and Grindle approved the motion. Motion carried.*

## **CONTRACTS/AGREEMENTS**

### Georgia Department of Corrections – FY 2010 Work Detail I Contract (renewal)

### Georgia Department of Corrections – FY 2010 Work Detail II Contract (renewal)

Work Detail #1 and Work Detail #2 – These agreements provide the county with work details with a maximum of five detainees and one full-time correctional officer per detail for labor on public works projects as described in the agreements.

Term: 7/1/07 – 6/30/10

Amount: \$39,500.00 per work detail

### Maximum Solutions, Inc. Agreement - Park & Rec. Software (new)

This agreement provides for software purchase for facility scheduling, activity registration, online registration, credit card processing, Max WebLink, League Scheduling and Training. It also provides for annually renewable maintenance.

Term: Maintenance – one year

Amount: Software Costs - \$8,260.00

Annual Maintenance - \$2,100.00

Training - \$2,600.00

### Ray Koehn - Lumpkin County-Wimpy Airport Tie Down #4 Agreement (renewal)

This agreement is for Tie-Down #4 for a Cessna N4076U. This lease agreement replaces previous agreement made December 9, 2008 for Tie-Down #5 for calendar year 2009. Previous agreement is null and void.

Term: June 1, 2009 – December 21, 2009

Amount: \$25.00 per month payable six (6) months in advance of beginning of six month period. One monthly payment will be made with \$25.00 remaining from Tie-Down #5 payment.

### Southeastern Service Group, Inc. – Lumpkin County Detention Center (renewal)

This agreement provides for services within the confines of the Detention Center.

Term: June 1, 2009 – May 31, 2010

Amount: \$255,546.35 paid in monthly installments of \$21,295.53

Term: June 1, 2010 – May 31, 2011  
Amount: \$263,212.74 paid in monthly installments of \$21,934.40  
Term: June 1, 2011 – May 31, 2012  
Amount: \$271,109.12 paid in monthly installments of \$22,592.43

State of Georgia/GEMA Hazard Mitigation Assistance Grantee-Subgrantee Agreement (new)

This agreement provides that Lumpkin County update the multi-jurisdictional Hazard Mitigation Plan to meet DMA2K five year update requirements of FEMA.

Term: Grant expiration date – September 9, 2010

Amount: Total Cost - \$21,250.00; Federal Share - \$15,937.00; Local Share - \$5,313.00

ACCG-IRMA –Renewal Contribution Worksheet Liability Insurance (renewal)

This is the annual renewal for property and liability insurance with ACCG-IRMA.

Term: July 1, 2009 – June 30, 2009

Amount: \$177,454.00

***Motion:** Commissioner Bowden moved to approve all contracts by acclamation but pulling out the Rainbow Children's Home contract for separate consideration. The motion was seconded by Clarence Stowers and approved by all district commissioners. Motion carried.*

Rainbow Children's Home – Terminate Property Lease at Yahoola Creek Park (terminate)

This is a notice of termination of a lease and terms of reimbursement.

Term: One half payable one or before December 31, 2011; remaining half payable on or before December 31, 2012

Amount: Total - \$21,535.00

Christine Doss, Chairperson of the Rainbow Children's Home Board and Melinda Rollins, Director of the Home each spoke concerning discussions that took place with Commissioners Bowden and Scott. Ms. Doss said her board members were agreeable to relinquishing the lease so long as they received reimbursement for their expenses regarding the Mechanicsville Road property. She stated that they did not voluntarily give up the property. Ms. Rollins answered questions about residents at the Home.

Commissioner Bowden explained legal requirements regarding giving land or money and said the county must have a contract to do so. He said, in his view, two children out of five currently at Rainbow Children's Home do not meet the criteria of substantial benefit to Lumpkin County. The Chairman spoke about his discussion with Judge Barrett who said that donating money or property to a private entity is illegal. He said that we can enter into contracts but substantial benefit to the community must be shown. Ms. Rollins said they always make space for the Lumpkin County children at Rainbow Children's Home. Ms. Doss said that the state pays a fee for out-of-county children residing at the home.

Commissioner Stowers said that discussion about county property occurred at the board retreat but that no votes had been taken on the matter. He said that, in his view, it is not illegal and gave the example of Hall County providing funds to a non-county-owned park.

***Motion:** Commissioner Bowden moved to terminate the lease which was seconded by Bill Scott. Bill Scott, Tim Bowden and Clarence Grindle were in favor of the motion. Commissioners Stowers opposed the motion. Motion carried.*

**OTHER ITEMS**

BOC Monthly Work Session (date change - July 9, 2009 9 am)

BOC & Budget Committee Work Session (set date – July 13, 2009 9 am)

BOC Public Hearing – Amend Subdivision Regulations (set date – July 16, 2009 4:30 pm)

BOC Appeal Hearing - Dahlonga Funeral Home & Cremation Services (set date – July 16, 2009 5 pm)

BOC Retreat (set date – July 22, 2009 9 am)

Although there will be some absentees at these meetings the dates were set as listed in the agenda.

**COMMENTS**

**COUNTY MANAGER**

The County Manager asked that board members e-mail him concerning particular items for the board retreat agenda. When Commissioner Bowden said he wanted a report on the status of the Lumpkin County Water & Sewerage Authority the County Manager suggested that the Authority be invited to a Work Session to provide this information.

**CHAIRMAN**

The Chairman drew attention to progress on the new courthouse. He spoke of possible new incoming businesses. The Chairman said he met with Chuck Perry, developer of the shopping area at SR 400 & SR60. Mr. Perry said they have all the work done that they can do until they get a tenant. The Chairman commented that the State DOT is closing their facility on Riley Road.

**COMMISSIONER**

Commissioner Stowers said we need to be careful of how we talk about people coming into the area and the cost of that to the county. He said he would like to have discussions with the new person who is being appointed to run it the State Transportation Board. He thinks there may be some contact for us there.

The Chairman read a proposed intergovernmental agreement that had been received from Hall County concerning a Lake Lanier Economic Impact Analysis. He said that Hall County is not asking for any money from Lumpkin County.

**COUNTY ATTORNEY**

**PUBLIC**

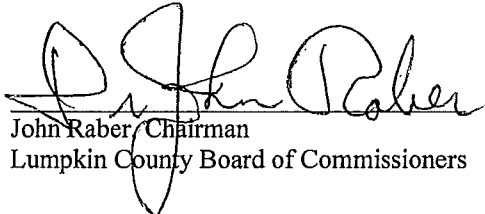
There were no public comments.

**ADJOURN**

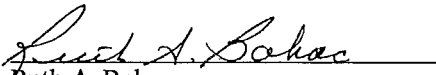
There being no further business the Chairman called for a motion to adjourn.

*Motion: Commissioner Scott made a motion to adjourn the meeting at 7:10 p.m. This motion was seconded by Tim Bowden and approved by all district commissioners. Motion carried.*

7/16/2009  
Date

  
John Raber, Chairman  
Lumpkin County Board of Commissioners

Attest:

  
Ruth A. Bohac  
Clerk, Lumpkin County